

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

**Claim 1.** (original) A telecommunication network, comprising:

a central server of an access or service provider, the central server having an interrogation part for interrogating hardware and software configurations of a plurality of terminal devices and a software transmitting part for loading at least one of software and data that is customized to the respectively detected hardware and software configuration onto one of the plurality of terminal devices;

a plurality of terminal devices, each with a predetermined hardware and software configuration, each of the plurality of terminal devices including a response transmitting part for transmitting a configuration code identifying the respective hardware and software configuration to the central server in response to an inquiry by the interrogation part, each of the plurality of terminal devices also including a software receiving part for receiving and internally storing at least one of the transferred software and data, the interrogation part and the response transmitting part being designed to interrogate the respective hardware and software configuration and to transmit the respective configuration code when at least one of the terminal device logs onto the telecommunication network, predetermined times occur, and predetermined time intervals occur; and

distributed control parts, which are distributed in both the central server and the plurality of terminal devices, the distributed control parts implementing an interactive control over the software transmitting part, and being constructed for the interactive specifying of a charging mode for at least one of downloaded software and downloaded data.

**Claim 2.** (currently amended) A telecommunications network as claimed in claim 1, further comprising:

an offer memory in the central server to which the distributed control parts are connected, the offer memory being addressable via the configuration code and 30 having a plurality of memory areas, in each of the memory areas at least one of a software and a data offer which is tuned to a separate hardware and software configuration is listed; and

wherein the distributed control parts include an offer transmitting part in the central server, the offer transmitting part for transferring contents of the respectively addressed offer memory area to the respective terminal device that has transmitted a configuration code, a transmission initiation unit in the central server, the transmission initiation unit for activating the ~~transmitted-transmitting~~ part for loading at least one of software and data from at least one of the tuned software and the data offer, an offer display part in each of the plurality of terminal devices for displaying the memory contents of the respectively addressed offer memory area, and a requesting part in each of the plurality of terminal devices for selecting offered software and data for loading onto the terminal device, which send a request signal for at least one of desired software and data and a reject signal for unwanted software and data to the transmission initiation unit of the central server.

Claim 3. (original) A telecommunication network as claimed in claim 2, wherein the central server further includes a reject signal storage area for terminal-device-specific storage of reject signals in association with the transmitted software and data offers, such that the reject signal storage area is allocated to the offer memory on an output side as filter so that software and data offers which are quit via a reject signal are not repeated to a same user.

Claim 4. (original) A telecommunication network as claimed in claim 3, further comprising:

a charging mode memory in the central server to which the distributed control parts are connected, the charging mode memory being allocated to the offer memory and having at least one charging mode stored for at least one of each offered software item and each offered record; and

wherein the distributed control parts include a charging mode transmitting 30 part in the central server connected to the charging mode memory for responding to the reception of one of

a configuration code and a request signal, a charging mode display part in each of the plurality of terminal devices for displaying the at least one charging mode for at least one of the offered and the selected software and the offered and the selected data, and a charging mode confirmation part in each of the plurality of terminal devices for specifying the charging mode.

Claim 5. (original) A telecommunication network as claimed in claim 1, wherein the central server further includes a terminal device operating data memory with a plurality of memory areas for the terminal-device-specific data storage of at least one of software and data that are implemented in the plurality of terminal devices, and operating data receiving and transmitting parts connected to the terminal device operating data memory for transferring the software and data from and to the plurality of terminal devices, and wherein each of the plurality of terminal devices further includes additional operating data transmitting and receiving parts for transferring the software and data to and from the central server.

Claim 6. (original) A telecommunication network as claimed in claim 5, wherein the operating data receiving and transmitting parts of both the central server and the plurality of terminal devices are so connected to the distributed control parts for implementing the interactive control that the data storage in the central server occurs only upon the selection of a corresponding offer by a user of the terminal device.

Claim 7. (original) A telecommunication network as claimed in claim 1, wherein the distributed control parts are formed as network-specific signaling parts on the basis of at least one of SIM cards, firmware, and applets/scripts.

Claim 8. (original) A telecommunication network as claimed in claim 1, wherein the central server acts as an intermediate station in the loading of the software and the data onto a first of the plurality of terminal devices by one of a second of the plurality of terminal devices in the telecommunication network and a data terminal device in a data network which is linked to the telecommunication network.

**Claim 9. (original)** A telecommunication network as claimed in claim 1, wherein the central server further includes a validation storage unit for storing at least one of validity data and authorization data in association with predetermined configuration codes as well as a comparison unit that is connected to the storage unit which compares the configuration codes that are transmitted by the plurality of terminal devices to stored configuration codes for the purpose of determining at least one of the validity of software stocks and data stocks and the usage authorization of a respective user.

**Claim 10. (original)** A telecommunication network as claimed in claim 9, wherein the software stocks and the data stocks that are one of implemented in the plurality of terminal devices and downloaded into the plurality of terminal devices include application counter elements, the central server further including an arithmetic evaluation unit for evaluating the counter statuses of the application counter elements at one of predetermined times, time intervals, and times when the relevant terminal device logs onto the telecommunication network, for the purpose of achieving a use-based charging mode.

**Claim 11. (original)** A telecommunication network as claimed in claim 10, wherein the central server includes an auxiliary information transmission unit which is connected to at least one of the comparison unit and the arithmetic evaluation unit for transmitting messages to the respective terminal device relating to at least one of the validity of implemented software, the usage authorization, and the application counter status for the respective user, the plurality of terminal devices including auxiliary information reception and display units for receiving and displaying the messages.

**Claim 12. (original)** A telecommunication network as claimed in claim 1, wherein the software that can be downloaded onto the plurality of terminal devices includes at least one of software components and data for implementing non-network-bound auxiliary functions of the plurality of terminal devices.

**Claim 13. (original)** A telecommunication network as claimed in claim 1, wherein the software and data that can be downloaded onto the plurality of terminal devices includes software components and data for implementing auxiliary services that are available in one of the telecommunication network and a data network that is connected to the telecommunication network.

**Claim 14. (original)** A telecommunication network as claimed in claim 1, wherein the software and data that can be downloaded onto the plurality of terminal devices include update software and update data for updating software and data stocks that are stored in the plurality of terminal devices.

**Claim 15. (original)** A method of operating a telecommunication network having a plurality of terminal devices of users, each with a predetermined hardware and software configuration, and a central server of an access or service provider, the method comprising the steps of: interrogating the current hardware and software configurations of one of the plurality of terminal devices in an interrogation step at one of a time during logon onto the telecommunication network, predetermined times, and time intervals;

transmitting, in a transmission step, the current hardware and software configuration of the respective terminal device to the central server;

setting up in the central server and transmitting to the respective terminal device, based on the respectively transmitted hardware and software configuration, offer information for a user of a respective terminal device;

displaying, in the context of an interactive menu in the respective terminal device, the offer information together with one of a select and a reject request, one of a request and a reject signal of the user which is generated by the user being registered;

transmitting, together with the offer information, charging mode signals to the respective terminal device and displaying the charging mode signals in the context of the interactive menu for selection by the user, and registering a charging mode in the central server in response to a selection made by the user; and

downloading onto the respective terminal device by the central server, in response to the registered one of the request and the reject signals, software and/or data that are suitable for the respective terminal device and that are not already present at the respective terminal device.

**Claim 16. (original)** A method of operating a telecommunication network as claimed in claim 15, the method further comprising the step of:

transferring to the central server, when one of the plurality of terminal devices log onto the telecommunication network, at predetermined times, and at time intervals, software and data that is implemented in the plurality of terminal devices for the purpose of data storage, and transferring the software and data by the central server back to the plurality of terminal devices again upon the occurrence of a predetermined condition.

**Claim 17. (original)** A method of operating a telecommunication network as claimed in claim 15, the method further comprising the steps of:

storing at least one of the reject signals and the request signals in the central server for each individual terminal device; and

generating subsequent offer information using the at least one of the stored reject signals and the stored request signals as a filter.

**Claim 18. (original)** A method of operating a telecommunication network as claimed in claim 15, the method further comprising the step of:

using the central server as an intermediate station in the loading of software and data onto a first of the plurality of terminal devices by one of a second of the plurality of terminal devices in the telecommunication network and a data terminal device in a data network that is linked to the telecommunication network.

**Claim 19. (original)** A method of operating a telecommunication network as claimed in claim 15, the method further comprising the steps of:

storing at least one of validity data and authorization data in the central server in association with predetermined configuration codes;

comparing the data to configuration codes that are transmitted by the plurality of terminal devices; and

outputting to the plurality of terminal devices, as a result of the comparison, data relating to at least one of the validity of software and data stocks that are stored in the plurality of terminal devices and the usage authorization of the respective user.

Claim 20. (original) A method of operating a telecommunication network as claimed in claim 15, the method further comprising the step of:

evaluating in the central server, when at least one of a terminal device logs on, predetermined times occur, and time intervals occur, counter statuses of application counter elements of the software and data stocks that are implemented in the plurality of terminal devices for the purpose of performing a use-based charging, an evaluation result being transmitted to the plurality of terminal devices.

Claim 21. (original) A terminal device for use in a telecommunication network having a plurality of terminal devices of users, each with a predetermined hardware and software configuration, and a central server of an accessor service provider, the terminal device comprising:

a response transmitting part for transmitting a configuration code that identifies a currently implemented hardware and software configuration to the central server in response to an interrogation by the central server;

distributed control parts for implementing an interactive control of the downloading of at least one of software and data from the central server;

a charging mode display part for displaying at least one available charging mode for one of offered and selected software and data; and

a charging mode confirmation part for specifying the charging mode.

Claim 22. (original) A terminal device for use in a telecommunication network as claimed in claim 21, wherein the distributed control parts include an offer display part for displaying offer information that is transmitted by the central server and a requesting part for

selecting at least one of software and data that is offered for downloading for the purpose of outputting at least one of a request signal and reject signal to the central server.

Claim 23. (original) A terminal device for use in a telecommunication network as claimed in claim 21, wherein the distributed control parts include signaling parts based on at least one of SIM cards, firmware, and applets/scripts.

Claim 24. (original) A terminal device for use in a telecommunication network as claimed in claim 21, further comprising:

operating data transmitting and receiving parts for transferring at least one of software and data to and from the central server.

Claim 25. (original) A terminal device for use in a telecommunication network as claimed in claim 21, further comprising:

an auxiliary information reception and display unit for receiving and displaying messages that are transmitted on the central server side relating to at least one of the validity of software and data that are implemented in the terminal device, the usage authorization, and a use-based charge status.